

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
Nashville Division**

L.W., by and through her parents and next friends, Samantha Williams and Brian Williams; SAMANTHA WILLIAMS; BRIAN WILLIAMS; JOHN DOE, by and through his parents and next friends, Jane Doe and James Doe; JANE DOE; JAMES DOE; RYAN ROE, by and through his parent and next friend, Rebecca Roe; REBECCA ROE; and SUSAN N. LACY, on behalf of herself and her patients,

Plaintiffs,

v.

JONATHAN SKRMETTI, in his official capacity as the Tennessee Attorney General and Reporter; TENNESSEE DEPARTMENT OF HEALTH; RALPH ALVARADO, in his official capacity as the Commissioner of the Tennessee Department of Health; TENNESSEE BOARD OF MEDICAL EXAMINERS; MELANIE BLAKE, in her official capacity as the President of the Tennessee Board of Medical Examiners; STEPHEN LOYD, in his official capacity as Vice President of the Tennessee Board of Medical Examiners; RANDALL E. PEARSON, PHYLLIS E. MILLER, SAMANTHA MCLERRAN, KEITH G. ANDERSON, DEBORAH CHRISTIANSEN, JOHN W. HALE, JOHN J. MCGRAW, ROBERT ELLIS, JAMES DIAZ-BARRIGA, and JENNIFER CLAXTON, in their official capacities as members of the Tennessee Board of Medical Examiners; and LOGAN GRANT, in his official capacity as the Executive Director of the Tennessee Health Facilities Commission,

Defendants.

Civil Action No. 3:23-cv-00376

PLAINTIFFS' MOTION TO PROCEED PSEUDONYMOUSLY

Plaintiffs John Doe, by and through his parents and next friends, Jane Doe and James Doe; Jane Doe; James Doe; Ryan Roe, by and through his parent and next friend, Rebecca Roe; and Rebecca Roe (collectively, “Movants”) hereby move the Court for permission to proceed in this action under the pseudonyms “John Doe,” “Jane Doe,” “James Doe,” “Ryan Roe,” and “Rebecca Roe.”

In support of this motion, Movants rely upon Movants’ supporting memorandum and the entire record in this case and state:

1. Courts “may excuse plaintiffs from identifying themselves in certain circumstances” where “a plaintiff’s privacy interests substantially outweigh the presumption of open judicial proceedings.” *Doe v. Porter*, 370 F.3d 558, 560 (6th Cir. 2004).

2. Fed. R. Civ. P. 26(c) authorizes the Court to make any order which justice requires to protect the party or person from “annoyance, embarrassment, oppression, or undue burden or expense” upon motion of a party.

3. In order to protect transgender individuals’ privacy and safety and avoid exposure to discrimination and harassment, it is common for courts to allow transgender individuals, particularly minors, to proceed under pseudonyms. *See, e.g.*, Temporary Order Allowing Pseudonym Litigation, *Bridge v. Okla. State Dep’t of Educ.*, No. CIV-22-00787-JD (W.D. Okla. Sept. 12, 2022), ECF No. 11; *Foster v. Andersen*, No. 18-2552-DDC-KGG, 2019 WL 329548, at *2 (D. Kan. Jan. 25, 2019).

4. Movants’ privacy interests substantially outweigh the presumption of open judicial proceedings because Movants’ transgender identity exposes them and their families to significant risks of substantial harm.

5. Under Local Rule 7.01(a)(3), briefing should be concluded within twenty-one days after service of the summons and complaint, unless otherwise ordered by the Court.

6. A proposed order granting this motion is attached as **Exhibit 1**.

CONCLUSION

For these reasons, Movants request the Court to:

(1) Enter an order (a) permitting Movants to proceed in this action under the pseudonyms “John Doe,” “Jane Doe,” “James Doe,” “Ryan Roe,” and “Rebecca Roe,” (b) barring the disclosure of Movants’ true names or other information that identifies Movants or Movants’ family members, directly or indirectly, and (c) requiring that any documents containing such information be redacted; and

(2) grant any other necessary or proper relief.

Dated: April 21, 2023

s/ Stella Yarbrough

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**motions to appear pro hac vice pending*

***application for admission pending*

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that on April 21, 2023, a true and correct copy of the foregoing has been served on all defendants via in-person service on the Tennessee Attorney General at the following address:

500 Dr MLK Jr Blvd
Nashville, TN 37219

s/ Stella Yarbrough

Stella Yarbrough